

SUPPORTING STATEMENT
Request for Fee Waiver Denial Letter
Form G-1054
(OMB No. 1615-0089)

A. Justification.

1. The regulations at 8 CFR 103.7(c) allows U.S. Citizenship and Immigration Services (USCIS) to waive of fees for benefits under the Immigration and Nationality Act (Act). In part 8 CFR 103.7(c), states "...The officer of the Department of Homeland Security having jurisdiction to render a decision on the application, petition, appeal, motion, or request may, in his or her discretion, grant the waiver of fee...." In order to maintain consistency in the adjudication of fee waiver requests, to collect accurate data on amounts of fee waivers, and to facilitate the public-use process, it is necessary to implement this Fee Waiver Denial Letter, Form G-1054.
2. If a fee waiver request is resubmitted, the suggested data listed on the Fee Waiver Denial Letter will be used by USCIS to determine eligibility for a fee waiver associated with the requested immigration benefit. The Fee Waiver Denial Letter serves the purpose of standardizing the denial of a request for a fee waiver, and ensures that basic information required to consistently assess eligibility is provided by the requestor upon resubmission of the fee waiver request.
3. The use of this Fee Waiver Denial Letter provides the most efficient means for collecting and processing the required data upon resubmission of the initially denied request for a fee waiver. In this case USCIS does not employ the use of information technology in collecting and processing information. Currently USCIS does not have an automated capability in place to accept electronic submission of applications.
4. A review of the Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
5. The collection of this information does not have an impact on small businesses or other small entities.

6. If the information listed on the Fee Waiver Denial Letter is not collected, or collected inconsistently, it would hinder the ability of the public to obtain a fee waiver as well as USCIS' ability to analyze the composition of those requesting a fee waiver and identify possible trends of fee waiver requests and the forms they are associated with in a timely manner. In addition, this form is instrumental in developing an accurate database for fee waiver amounts.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. Public comments obviously cannot be addressed in the initial submission. Any public comments will be reconciled and addressed in the justification package with the USCIS' second submission.
9. USCIS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. The Privacy Act of 1974 (Public Law 93-589) mandates that personal information solicited from individuals completing Federal records and forms shall be kept confidential. The fee waiver requestor is informed that USCIS will use the information and evidence provided to determine eligibility for the requested fee waiver and that USCIS may provide the information to other Government agencies.
11. The questions regarding income level, assets and expenditures are necessary to determine whether applicants meet the requirements of inability to pay as stated in 8 CFR 103.7(c). This information is used to evaluate and consistently implement the procedures of granting or denying fee waivers associated with USCIS applications, petitions, appeals or motions.
12. Annual Reporting Burden:
 - a. Number of Respondents 16,000
 - b. Number of Responses per each Respondent 1
 - c. Total Annual Responses 16,000

d.	Hours per Response	1.25
e.	Total Annual Reporting Burden	20,000

The projected hours per response for this collection of information were derived by first breaking the process into three basic components:

Learning about the Law and the Form	20 Minutes
Completion of the Form	40 Minutes
Assembling and Filing the Form	15 Minutes
<i>TOTAL Hours per Response</i>	<i>75 Minutes</i>

Annual Reporting Burden

The total annual reporting burden hours are 20,000. This figure was derived by multiplying the number of respondents (16,000) x frequency of response (1) x 1 hour and 15 minutes (1.25 hours) per response.

13. There are no capital or start up costs associated with this information collection. **There is no fee associated with the collection of this information.**

14. Annualized Cost Analysis:

a.	Printing Cost	\$	2,880
b.	Collection and Processing Cost	\$	640,000
c.	Total Cost to Program	\$	642,880
d.	Fee Charge	\$	0
e.	Total Cost to Government	\$	642,880

Government Cost

The estimated cost of the program to the Government is 642,880. This figure is calculated by using the estimated number of respondents (16,000) multiplied (x) one hour (time required to collect and process information) x \$40 (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

Public Cost

The estimated annual public cost is \$200,000. This estimate is based on the number of respondents (16,000) x 1 hour and 15 minutes (1.25 hours) per response x \$10.00 (average hourly rate).

15. There has been no increase or decrease in the estimated number of annual burden hours for this information collection.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. USCIS is not seeking a waiver to display the expiration date for OMB approval of this information collection.
18. USCIS does not request an exception to the certification of this information collection. See attached Item 19 of Form OMB 83-I.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan,

Director,

Regulatory Management Division,

U.S. Citizenship and Immigration Services.

Date